

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

BERTLING SERVICES

V.

**MICHAEL D. BROWN, PHILIP CHARLES
BROWN**

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NO. SA: 11-CV-00359-OLG

PLAINTIFF BERTLING SERVICES DESIGNATION OF EXPERT WITNESS

Counter Defendant, Bertling Services referred to alternately as “Plaintiff” or “Counterclaim Defendants” file this designation of expert witness and discloses the following persons that it may use to present evidence at trial under Federal Rules of Evidence 702, 703, or 705. These disclosures are made pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure and the court’s Scheduling Order in this case dated July 19, 2011.

Names of Expert Witnesses

1. Stacey D. MyCue, CPA, will provide expert testimony in this matter with respect to Counter-Plaintiffs’ Michael D. Brown and Phillip Charles Brown allegations that they did not receive overtime pay under the Fair Labor Standards Act (“FLSA”). This expert will testify that Counter-Plaintiffs’ received wages and bonuses that exceeded the amount of the minimum wage and overtime calculations under the FLSA. This expert’s written report, which conforms to all of the requirements of Rule 26(a)(2)(B) of the Federal Rules of Civil Procedure, will be provided pursuant to the Court’s Scheduling Order.

Respectfully submitted,



Adrian A. Spears II

SBN 24049318

106 S. St. Mary's Street, Suite 255

San Antonio, TX 78205

(210) 446-4500

(210) 853-5774 FAX

Attorneys for Plaintiff

Bertling Services

adrian@aspearslaw.com

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2011, a copy of Counterclaim Defendant's Designation of Expert Witness was faxed, mailed or hand delivered to the Attorney for Defendants, Glen D. Levy, 906 West Basse Road, Suite 100, San Antonio, Texas 78212.



Adrian A. Spears II